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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: March 24, 2005 Name: Jeffrey M. Nichols Signature: Jeff Nichols

**BRINKS  
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& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Jose A. Capote et al.  
Appln. No.: 10/673,078  
Filed: September 27, 2003  
For: Method and Apparatus for Treating Liquid Waste  
Attorney Docket No: 11855/4

Examiner: To Be Assigned  
Art Unit: 1724

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Third Supplemental Information Disclosure Statement; Form PTO-1449; Copies of 3 Cited References
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☒ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

March 24, 2005  
Date

Respectfully submitted,  
Jeff Nichols  
Jeffrey M. Nichols (Reg. No. 46,958)



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## THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

	No./Description	Date of Publication	Patentee/Applicant/ Assignee/Country
D1	US 6,155,182 A	December 5, 2000	Tsangaris et al.
D2	US 4,635,573	January 13, 1987	Santén
D3	US 4,361,441	November 30, 1982	Tylko
D4	WO 03/069227 A1	August 21, 2003	Patent Cooperation Treaty
D5	EP 0 469 737 A2	February 5, 1992	European Patent Office
D6	International Search Report for PCT Application No. PCT/US2004/031310	February 25, 2005	Patent Cooperation Treaty

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other

information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).


For purposes of 37 C.F.R. §1.704(d), Applicants certify that references D1, D4, D5, and D6 contained in this Statement were cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of the foreign communication first citing these references is enclosed for the Examiner's reference). References D2 and D3 were not cited in a communication from a foreign patent office in a counterpart application but are being submitted prior to the receipt of the first official Action reflecting an examination on the merits.

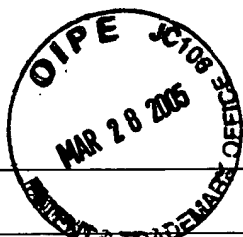
Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

March 24, 2005

Date

  
\_\_\_\_\_  
Jeff M. Nichols (Reg. No. 46,958)



FORM PTO-1449	SERIAL NO. 10/673,078	CASE NO. 11855/4
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE September 27, 2003	GROUP ART UNIT 1724
APPLICANT(S): Jose A. Capote et al.		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	D1	6,155,182 A	12/05/2000	Tsangaris et al.		
	D2	4,635,573	01/13/1987	Santén		
	D3	4,361,441	11/30/1982	Tylko		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	D4	WO 03/069227 A1	08/21/2003	PCT		NO
	D5	EP 0 469 737 A2	02/05/1992	EPO		NO

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	D6	International Search Report for PCT Application No. PCT/US2004/031310

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.